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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/943,278 08/30/2001		Harold M. Jarrett JR.	Y01-051	8795	
7590 11/28/2003			EXAM	EXAMINER	
Kenneth W. Float			. TOATLEY, GREGORY J		
The Law Offices of Kenneth W. Float P.O. Box 80790			ART UNIT	PAPER NUMBER	
	Margarita, CA 92688	2836			

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner						EX			
Examiner - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION. Extensions of time may be evaluable under the provisions of 37 CFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 17 CFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 17 CFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In or event, however, may a raply be timely filed after 3 section in the provision of 18 cFR 1.135(b). In order 3 section of 18 cFR 1.135(c). In order 3 section of 18 cFR 1.1			Applic	ation No.	Applicant(s)				
Gregory J. Toalley. Jr. 2836 - The MALLING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. Extensions of turn may be available used the provisions of 3°CR 1.155(a). In no event, however, may a reply be timely filed Extensions of turn may be available used the provisions of 3°CR 1.155(a). In no event, however, may a reply be timely filed Extensions of timely is specified show is less than thirty (30) days, a reply which he statutory minimum of thirty (30) days will be considered timely. If the period for reply specified shows is less than thirty (30) days, a reply which he statutory minimum of thirty (30) days will be considered timely. If the period for reply specified shows is less than thirty (30) days, a reply be timely filed. Provided the statutory of the statutory period will appear and will appear to the statutory minimum of thirty (30) days will be considered timely. If the period for reply specified shows is less than thirty (30) days, a reply be timely filed. Provided the statutory minimum of thirty (30) days will be considered timely. If the period for reply specified the statutory minimum of thirty (30) days will be considered timely. If the period for reply specified to the file the models and the statutory minimum of thirty (30) days will be considered timely. If the period for reply specified to the file the models and the statutory minimum of thirty (30) days will be considered timely. If the period for reply specified the statutory will develop the statutory minimum of thirty (30) days will be considered the statutory of the statutory will develop t			09/943	,278	JARRETT, HARO	OLD M.			
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be exhibited under the provisions of 3° CPR 1.35(a), in no event, however, may a reply be timely filed Extensions of time may be exhibited under the provision of 3° CPR 1.35(a), in no event, however, may a reply be timely filed Extensions of time place and active provision of 3° CPR 1.35(a), in no event, however, may a reply be timely filed If the period for reply specified above is less than bring (30) days, a reply within the statutory princive may be not will be period for reply within the statutory princive may be not will be period to reply within the statutory princive may be not will be not or extended principle of this communication. False to specification is principle or principl			nication appears on	the cover sheet w	ith the correspondence a	ddress			
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DETAILED ACTION

Specification

 The examiner respectfully suggests that the Applicant carefully review the specification for idiomatic and grammatical errors, which may have inadvertently overlooked.

Art Rejection Rationale

At the outset, the examiner notes that claims are to be given their broadest reasonable interpretation during prosecution. In re Zletz, 893 F.2d 319, 321, 13

USPQ2d 1320, 1322 (Fed. Cir. 1989); In re Prater, 415 F.2d 1393, 1404, 162 USPQ 541, 550 (CCPA 1969); In re Yamamoto, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984); Burlington Indus. V. Quigg, 822 F.2d 1581, 3 USPQ2d 1436 (Fed. Cir. 1987); In re Morris, 43 USPQ2d 1753, 1756 (Fed. Cir. 1997). In responding to this Office action, applicants are reminded of the requirements of 37 CFR §§ 1.111 and 1.119 that applicants specifically point out the specific distinctions believed to render the claims patentable over the references in presenting responsive arguments. See M.P.E.P. § 714.02. The support for any amendments made should also be specifically pointed out. See M.P.E.P. § 2163.06.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the





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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 3. Claims 1 20 rejected under 35 U.S.C. 102(e) as being anticipated by the reference of Lagod et al. (US 6583521 B1). The reference of Lagod discloses the features of the claimed invention as follows:
- 1. Apparatus of connecting a secondary power source to electrical loads (see figs. 1a 2) that are designated for removal from a primary power source during times requiring load reduction (e.g. at least 3:64 4:15), comprising: a remotely controllable secondary load reduction transfer switch (any one of switches 16a 16d); logic (5:59 9:10) that enables the remotely controllable secondary load reduction transfer switch to operate only when primary power is available and when commanded to do so; and a command process for sending a command for one or more remotely controllable secondary load reduction transfer switches that is transferred to the logic of the one or more remotely controllable secondary load reduction transfer switches to cause them to connect a secondary power source to electrical loads coupled thereto that are designated for disconnection from the primary power source during times requiring load reduction.
- 2. The apparatus recited in claim 1 wherein the secondary power source comprises a standby power generator (14).
- 3. The apparatus recited in claim 1 wherein the remotely controllable secondary transfer switch is wirelessly controlled (7:50-63).
- 4. The apparatus recited in claim 1 wherein the command process substantially simultaneously commands a plurality of remotely controllable secondary load reduction transfer switches to cause them to connect a secondary power source to electrical loads coupled thereto that are designated for disconnection from the primary power source during times requiring load reduction (5:59 9:10).
- 5. The apparatus recited in claim 1 wherein the logic and command process are operative to locally measure the electrical load, and automatically transfer selected loads to the secondary power source via the secondary load reduction transfer switch if power demand approaches a threshold set by a user (4:66 5:21).





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- 6. The apparatus recited in claim 1 which comprises a plurality of remotely controllable secondary load reduction transfer switches and logic that enables the plurality of remotely controllable secondary load reduction transfer switches (5:59 9:10).
- 7. An electrical power distribution system comprising: a primary power source; an electrical breaker panel that distributes power to a plurality of loads comprising non-critical loads, critical loads, and load reduction loads; a secondary power source; an automatic transfer switch for distributing power to the critical loads from the secondary power source if power is not available from the primary power source; a load reduction transfer switch, wired in parallel to the automatic transfer switch, for distributing power to the load reduction loads to reduce power demand on the primary power source (see figs. 1a 2).
- 8. The system recited in claim 7 wherein the automatic transfer switch is designed to connect its critical loads to the secondary power source only in the absence of power from the primary power source (4:54-60).
- 9. The system recited in claim 7 wherein the load reduction transfer switch is designed so that it cannot normally connect the standby power generator to the load reduction loads in the absence of power from the primary power source (inherent in the disclosure of the critical loads being connected to the secondary power sources as disclosed in 4:1-27).
- 10. The system recited in claim 7 wherein operation of the automatic transfer switch and load reduction transfer switch are mutually exclusive (see 1a 2).
- 11. The system recited in claim 7 wherein the load reduction transfer switch allows the secondary power source to power the load reduction loads while power from the primary power source is available, independently from the critical loads that are powered by the secondary power source in the case of loss of power from the primary power source (5:59 9:10).
- 12. The system recited in claim 7 wherein the automatic transfer switch includes control logic circuitry comprising: a two position contactor operative such that in one position, the breaker panel is connected to the primary power source, and in the other position, the breaker panel is connected to the secondary power source; and a transfer switch control circuit that (1) senses the presence or absence of voltage from primary power source, and if the voltage is lost, provides a start signal to the secondary power source, causing it to begin producing power, (2) monitors power produced by the secondary power source, and when a stable voltage and frequency are reached, initiates transfer of power to the loads





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from the primary power source to the secondary power source; and (3) selectively controls an actuator via a control signal to cause the power transfer from the primary power source to the secondary power source and vice-versa (5:1-22)

- 13. The system recited in claim 7 wherein the load reduction transfer switch includes control logic circuitry comprising: a two position contactor operative such that in one position, the breaker panel is connected to the primary power source, and in the other position, the breaker panel is connected to the secondary power source; a transfer switch control circuit that (1) senses the presence or absence of voltage from the primary power source, and if the voltage is lost, provides a start signal to the secondary power source, causing it to begin producing power, (2) monitors power produced by the secondary power source, and when a stable voltage and frequency are reached, initiates transfer of power to the loads from the primary power source to the secondary power source; and (3) selectively controls an actuator via a control signal to cause the power transfer from the primary power source to the secondary power source and vice-versa; and a load reduction control circuit for receiving a command that applies power from the primary power source to an actuator that breaks connection of the voltage to the transfer switch control circuit and initiates startup of the secondary power source, the transfer of power to the load reduction loads, and that keeps the transfer switch from operating if power from the primary power source is absent (5:1 6:29).
- 14. The system recited in claim 13 wherein the load reduction control circuit comprises a wireless load reduction control circuit (7:50-63).
- 15. The system recited in claim 7 wherein the load reduction transfer switch is operative to locally measure electrical load, and automatically transfer selected loads to the secondary power source via the load reduction transfer switch if power demand approaches a threshold (4:66 5:22).
- 16. The system recited in claim 7 which comprises a plurality of load reduction transfer switches that transfer selected loads to the secondary power source (see 1a 2).

The methods as described in claims 17- 20 flow from the description of the system of the invention of the reference of Lagod et al.





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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Toatley, Jr. whose telephone number is 703-308-7889. The examiner can normally be reached on Mon. - Fri. 7:00 a.m. to 3 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (703) 308-3119. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

Primary Examiner

GKT Jr.

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